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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,507	07/06/2001	Gary J. Oleynick	003A.0005.U1(US)	4180

29683            7590            06/26/2003  
HARRINGTON & SMITH, LLP  
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EXAMINER
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LEON, EDWIN A

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 06/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/900,507	OLEYNICK ET AL.
Examiner	Art Unit	
Edwin A. León	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 29 April 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 and 14-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 and 14-34 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a)  The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's amendment filed April 29, 2003 in which Claims 1, 11, 18, and 34 have been amended, has been place of record in the file as Paper No. 16.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-12 and 14-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (U.S. Patent No. 6,027,375) in view of Davis et al. (U.S. Patent No. 5,295,843). With regard to Claims 1, 6, 9, 11-12, 14, 17-18, 20, 23, 26-27, and 29-31, Wu discloses an electrical connector comprising: electrical contacts (5,6) comprising signal contacts (6) and power contacts (5); and a housing (2) having the electrical contacts (5,6) on opposite sides connected thereto, the housing (2) comprising at least two vertically arranged electrical plug receiving areas (21,22), wherein the signal contacts (6) extend into one of the receiving areas (21,22) in a universal serial bus

(USB) location configuration, and wherein the power contacts (5) extend into the other of the receiving areas (21,22). See Figs. 1-5.

Wu doesn't show the signal contacts extending into the receiving areas and the power contacts extending into the receiving areas.

Davis et al. discloses an electrical connector (2) having signal contacts (5) extending into a receiving area (26), and power contacts (6) extending into the same receiving area (26). See Fig. 11.

It would have been obvious to one of with ordinary skill in the art to modify the electrical connector of Wu by including the signal contacts and the power contacts extending into the same receiving area as taught in Davis et al. to add the transmission or signal functions in to the connector's areas without increasing its size.

With regard to Claim 2, Wu discloses the signal contacts (6) comprising spring contact sections (51,61) extending into the plug receiving areas (21,22), tails (53,63) extending from a bottom side of the housing (2), and bent sections therebetween. See Figs. 1-5.

With regard to Claim 3, Wu discloses the spring contact sections (61) of the signal contacts (6) extend into two of the plug receiving areas (21,22) in opposite directions. See Figs. 1-5.

With regard to Claim 4, Wu discloses the power contacts (5) comprising spring contact sections (51) extending into the plug receiving areas (21,22), tails (53) extending from a bottom side of the housing (2), and bent sections therebetween. See Figs. 1-5.

With regard to Claim 5, Wu discloses the spring contact sections (51) of the power contacts (5) extending into two of directions. See Figs. 1-5.

With regard to Claim 7, Wu discloses the electrical contacts (5,6) extending into a first one of the plug receiving areas (21,22) are arranged as a substantially mirror image to the electrical contacts (5,6) extending into a plug receiving area (21,22) comprises four of the signal contacts (6) extending there into and two of the power contacts (5) extending there into opposite the four signal contacts (6). See Figs. 1-5.

With regard to Claim 10, Wu discloses the housing (2) comprising projections (3,4) extending into the receiving areas (21,22) in a forward direction, portions of the signal contacts (6) extending through cavities along the projections (3,4), and ends of the signal contacts (6) being preloaded against sections of the projections (3,4). See Figs. 1-5.

With regard to Claim 15-16, Wu discloses the receiving areas (21,22) extending into a front side of the housing (2), and wherein ends of the contacts (5,6) extend from a bottom side of the housing (2). See Figs. 1-5.

With regard to Claim 19, Wu discloses the housing (2) comprising a section (between 21 and 22) located between and separating the two plug receiving areas (21,22) from each other. See Figs. 1-5.

With regard to Claim 21, Wu discloses the power contacts (5) extending from the section (between 21 and 22) in opposite directions into the two receiving areas (21,22). See Figs. 1-5.

With regard to Claim 22, Wu discloses the signal contacts (6) extending into the first and second receiving areas (21,22) in respective opposite inward directions. See Figs. 1-5.

With regard to Claim 24, Wu discloses the housing (2) comprising two projections (3,4) extending towards a front end of the housing (2) above and below a center projection (225) of the housing (2), and wherein the signal contacts (6) extend through the two projections (3,4) and project out of the two projections (3,4) and project out of the two projections (3,4) in opposite directions towards the center projection (225). See Figs. 1-5.

With regard to Claim 25, Wu discloses the power contacts (5) extending through and out of the center projection (225) in opposite directions into the two plug receiving areas (21,22). See Figs. 1-5.

With regard to Claim 28, Wu discloses the signal contacts (6) extend into the receiving areas (21,22) in a same direction. See Figs. 1-5.

With regard to Claim 32, Wu discloses the signal contacts (6) and the power contacts (5) extending into the first receiving area section in opposite directions. See Figs. 1-5.

With regard to Claim 33, Wu discloses the first and second receiving area sections (21,22) each comprising a deck receiving area, and a common power contact section receiving area is located between the deck receiving areas (21,22). See Figs. 1-5.

With regard to Claim 34, Wu discloses a universal serial bus (USB) electrical connector plug (9) comprising: a signal contact supporting deck (93,98); electrical signal conductors (97) directly stationarily attached to only a first side (98) of the supporting deck (93,98); and electrical power conductors (95) directly stationarily attached to only an opposite second side (93) of the supporting deck (93,98), wherein the supporting deck (93,98) is sized and shaped to be inserted into a supporting deck receiving aperture (21,22) of a USB electrical connector receptacle (1), and wherein the electrical signal conductors (97) are aligned in a USB contact array. See Fig. 5.

Wu doesn't show the electrical signal and power conductors directly stationarily attached to exterior sides of the supporting deck.

Davis et al. discloses a connector plug (1) having electrical signal (4) and power (6) conductors directly stationarily attached to exterior sides of a supporting deck (7).

See Fig. 1

Thus, it would have been obvious with ordinary skill in the art to modify the electrical connector of Wu by having the electrical signal and power conductors directly stationarily attached to exterior sides of the supporting deck as taught in Davis et al. to add the transmission or signal functions in to the connector's areas without increasing its size.

### ***Response to Arguments***

4. Applicant's arguments filed April 29, 2003 have been fully considered but they are not persuasive. In response to Applicant's arguments regarding Claims 26 and 29 that the Examiner has not given patentable weight to the limitations "the at least one plug receiving area is sized and shaped to receive the plurality of USB plugs with signal contact supporting decks of two of the plugs being located vertically offset relative to each other and power contact supporting sections of the two plugs being at least partially laterally adjacent each other", "a first receiving area section sized and shaped to receive a first electrical plug having a signal contact supporting deck and a power contact section vertically offset from the signal contact supporting deck; and a second receiving area section sized and shaped to receive a second electrical plug having a signal contact supporting deck and a power contact section, and wherein at least one of the first and second receiving area sections is sized and shaped to alternatively receive a third electrical plug having a signal contact supporting deck, but not having a power contact section", Applicant is reminded that the electrical plugs are not positively recited since it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex. parte Masham*, 2

USPQ2d 1647 (1987). Therefore, the limitations regarding the plugs have not been given patentable weight. Applicant is reminded that these claims are directed to the connector receptacle and not to the plugs.

In response to Applicant's arguments regarding Claims 1, 11, 18 and 34 that the references do not show the power contacts extending into the other of the receiving areas opposite to the signal contacts, the contacts being located only in opposite sides, Applicant's attention is directed to Fig. 1 of Wu, in which the power (5) and signal (6) contacts are arranged only in sides opposite to each other. Applicant is reminded that in the Wu reference the power contacts (5) are arranged in an upper side only and the signal contacts (6) are arranged in a lower side only. By combining this arrangement with the teaching of Davis et al. of having the signal contacts and the power contacts extending into the same receiving area, the power and signal contacts of Wu would be kept in the same opposite arrangement but in the same receiving area as taught in Davis et al. This combination is believed to read in Applicant's claims.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (703) 308-6253. The examiner can normally be reached on Monday - Friday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

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June 22, 2003